

No. 47

# MICHIGAN SENATE

## DAILY CALENDAR

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TUESDAY, MAY 21, 2013  
10:00 a.m.

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### MOTIONS

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1

(Consideration postponed until Saturday, December 28.)

**SB 95** Sen. Hopgood

Labor; collective bargaining; requirement for agency fee for nonunion members; allow in bargaining agreements and as condition of employment in private sector.

Amends secs. 1, 2, 8, 14, 17 & 22 of 1939 PA 176 (MCL 423.1 et seq.).

**Motion to discharge Committee on Reforms, Restructuring and Reinventing pending.**

2

(Consideration postponed until Saturday, December 28.)

**SB 96** Sen. Hopgood

Labor; collective bargaining; requirement for agency fee for nonunion members; allow in bargaining agreements and as condition of employment in public sector.

Amends secs. 9, 10 & 15 of 1947 PA 336 (MCL 423.209 et seq.).

**Motion to discharge Committee on Reforms, Restructuring and Reinventing pending.**

3

(Consideration postponed until Saturday, December 28.)

**SB 145** Sen. Johnson

Individual income tax; deductions; pension tax; eliminate limitations and restrictions.

Amends sec. 30 of 1967 PA 281 (MCL 206.30).

**Motion to discharge Committee on Finance pending.**

4

(Consideration postponed until Saturday, December 28.)

**SB 280** Sen. Jones

Individual income tax; income; limitations and restrictions on deduction of certain retirement or pension benefits, treatment of senior citizens, and the homestead property tax credit; eliminate and restore.

Amends secs. 30, 520 & 522 of 1967 PA 281 (MCL 206.30 et seq.).

**Motion to discharge Committee on Finance pending.**

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### THIRD READING OF BILLS

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5

**SB 265** Sen. Jones

Vehicles; registration; company test vehicles; exempt from additional tax on vehicle registrations charged by regional transit authority.

Amends sec. 801j of 1949 PA 300 (MCL 257.801j).

**Reported by Committee on Transportation.**

**Committee recommended I.E.**

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### THIRD READING OF BILLS

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6

**HB 4177** Rep. Ananich

Crimes; homicide; reference to vulnerable adult abuse in first degree murder statute; revise.

Amends sec. 316 of 1931 PA 328 (MCL 750.316).

**I.E. House, March 21, 2013.**

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

7

**HB 4127** Rep. Johnson

Criminal procedure; probation; GPS bail monitoring of certain offenders; allow.

Amends sec. 6b of 1927 PA 175 (MCL 765.6b).

**I.E. House, March 21, 2013.**

**House substitute (H-1).**

**Reported by Committee on Judiciary.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

8

**SB 308** Sen. Jones

Economic development; obsolete property and rehabilitation; eligibility criteria for exemption certificate; modify under certain circumstances.

Amends sec. 8 of 2000 PA 146 (MCL 125.2788).

**Reported by Committee on Economic Development.**

**Committee recommended I.E.**

9

**HB 4042** Rep. Kelly

Human services; food assistance; criteria for the issuance of Michigan bridge cards; modify.

Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding sec. 10f & repeals sec. 10e of 1939 PA 280 (MCL 400.10e[1]).

**I.E. House, March 14, 2013.**

**Reported by Committee on Families, Seniors and Human Services.**

**Committee recommended I.E.**

10

**HB 4050** Rep. Kurtz

Children; protection; children's ombudsman to investigate victims of child abuse or neglect; expand criteria to include children who have died as a result of child abuse or neglect.

Amends secs. 5a, 6, 7, 8 & 9 of 1994 PA 204 (MCL 722.925a et seq.).

**I.E. House, March 7, 2013.**

**House substitute (H-2).**

**Reported by Committee on Families, Seniors and Human Services.**

**Committee recommended I.E.**

## THIRD READING OF BILLS

11

**SB 209** Sen. Green

Sales tax; exemptions; tax-exempt status on aggregate sales for fund-raising purposes for certain nonprofit organizations; include veterans service organizations.

Amends sec. 4o of 1933 PA 167 (MCL 205.54o).

**Reported by Committee on Finance.**

**Senate substitute (S-3).**

**Committee recommended I.E.**

## GENERAL ORDERS

12

**SB 49** Sen. Casperson

Weapons; licensing; certain firearm licensing information; exempt from freedom of information act.

Amends secs. 2 & 2a of 1927 PA 372 (MCL 28.422 & 28.422a).

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

13

**SB 63** Sen. Pavlov

Weapons; firearms; Michigan firearms freedom act; create.

Creates new act.

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

14

**SJR F** Sen. Bieda

Courts; judges; election of or appointment to a judicial office of person who has reached 70 years of age; remove prohibition.

Amends sec. 19, art. VI of the state constitution.

**Reported by Committee on Judiciary.**

15

**SB 153** Sen. Hood

Family law; marriage and divorce; employee designated by county clerk to solemnize marriage in a county having more than 1,500,000 inhabitants; allow.

Amends sec. 7 of 1846 RS 83 (MCL 551.7).

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

16

**HB 4111** Rep. Haveman

Appropriations; zero budget; supplemental appropriations; provide for fiscal year 2012-2013.

Creates appropriation act.

**I.E. House, February 28, 2013.**

**House substitute (H-1).**

**Rules suspended, placed on General Orders, Tuesday, March 5.**

## GENERAL ORDERS

17

**SB 169** Sen. Kowall

Traffic control; traffic regulation; autonomous driving; authorize under certain circumstances.

Amends title, division heading & sec. 244 of 1949 PA 300 (MCL 257.244) & adds secs. 2b, 663, 664, 665, 666 & 817.

**Reported by Committee on Transportation.**

**Senate substitute (S-2).**

**Committee recommended I.E.**

18

**SB 131** Sen. Hopgood

Family law; child custody; granting of custody or parenting time for parent convicted of certain sexual offenses; prohibit.

Amends 1970 PA 91 (MCL 722.21 - 722.31) by adding sec. 5a.

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

19

**SB 229** Sen. Moolenaar

Natural resources; funding; natural resources trust fund; clarify that money may be expended for dredging of harbors for use by recreational watercraft.

Amends sec. 1903 of 1994 PA 451 (MCL 324.1903).

**Reported by Committee on Outdoor Recreation and Tourism.**

**Committee recommended I.E.**

20

**SB 235** Sen. Jones

Occupations; inspectors; nationally certified fire inspectors; allow to be registered as electrical and mechanical inspectors for purpose of inspecting fire safety systems and plan reviews.

Amends sec. 11 of 1986 PA 54 (MCL 338.2311).

**Reported by Committee on Regulatory Reform.**

**Committee recommended I.E.**

21

**SB 227** Sen. Smith

Economic development; neighborhood enterprise zones; population requirements for eligibility; revise.

Amends sec. 2 of 1992 PA 147 (MCL 207.772).

**Reported by Committee on Economic Development.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

22

**SB 269** Sen. Kowall

State financing and management; funds; 21st century jobs trust fund; modify.

Amends secs. 7 & 8 of 2000 PA 489 (MCL 12.257 & 12.258).

**Reported by Committee on Economic Development.**

**Committee recommended I.E.**

## GENERAL ORDERS

23

**SB 270** Sen. Emmons  
Economic development; Michigan strategic fund; certain definitions; modify.  
Amends secs. 88a, 88b & 89c of 1984 PA 270 (MCL 125.2088a et seq.).  
**Reported by Committee on Economic Development.**  
**Committee recommended I.E.**

24

**SB 271** Sen. Smith  
Economic development; Michigan strategic fund; community revitalization program; modify.  
Amends secs. 88r, 90a, 90b, 90c & 90d of 1984 PA 270 (MCL 125.2088r et seq.).  
**Reported by Committee on Economic Development.**  
**Committee recommended I.E.**

25

**SB 272** Sen. Kowall  
Economic development; Michigan strategic fund; definition of port facilities and powers and duties; modify.  
Amends secs. 4 & 23 of 1984 PA 270 (MCL 125.2004 & 125.2023) & adds sec. 7b.  
**Reported by Committee on Economic Development.**  
**Committee recommended I.E.**

26

**SB 278** Sen. Kowall  
Economic development; Michigan strategic fund; investment fund; modify.  
Amends sec. 88h of 1984 PA 270 (MCL 125.2088h).  
**Reported by Committee on Economic Development.**  
**Committee recommended I.E.**

27

**SB 136** Sen. Moolenaar  
Health; other; religious liberty and conscience protection act; enact to allow health care payers, health facilities, and health providers a right to decline to provide or pay for certain objectionable health care services.  
Creates new act.  
**Reported by Committee on Health Policy.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

28

**SB 155** Sen. Brandenburg  
Michigan business tax; administration; gross receipts, certain credit, and unitary filing provisions; modify to clarify original intent.  
Amends secs. 111, 113, 403 & 511 of 2007 PA 36 (MCL 208.1111 et seq.).  
**Reported by Committee on Finance.**  
**Committee recommended I.E.**

29

**SB 156** Sen. Brandenburg  
Michigan business tax; administration; gross receipts, certain credit and apportionment provisions; modify to clarify original intent.  
Amends secs. 111, 305, 403 & 433 of 2007 PA 36 (MCL 208.1111 et seq.).  
**Reported by Committee on Finance.**  
**Committee recommended I.E.**

## GENERAL ORDERS

30

**SB 173** Sen. Jansen  
Labor; benefits; ordinance regarding employer leave requirements; provide for statewide uniformity.  
Creates new act.  
**Reported by Committee on Reforms, Restructuring and Reinventing.**  
**Committee recommended I.E.**

31

**SB 76** Sen. Booher  
Criminal procedure; sex offender registration; loitering within 1,000 feet of day care center; prohibit, and regulate certain other conduct in school safety zones.  
Amends secs. 34 & 35 of 1994 PA 295 (MCL 28.734 & 28.735).  
**Reported by Committee on Judiciary.**  
**Senate substitute (S-3).**  
**Committee recommended I.E.**

32

**SB 77** Sen. Booher  
Criminal procedure; sentencing guidelines; sentencing guidelines for crime of registered sex offender loitering within 1,000 feet of a day care center; enact.  
Amends sec. 11b, ch. XVII of 1927 PA 175 (MCL 777.11b).  
**Reported by Committee on Judiciary.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

33

**SB 285** Sen. Bieda  
Crimes; animals; penalties for crimes against animals; enhance, and make other revisions.  
Amends secs. 50 & 50b of 1931 PA 328 (MCL 750.50 & 750.50b).  
**Reported by Committee on Judiciary.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

34

**SB 286** Sen. Jones  
Criminal procedure; sentencing guidelines; sentencing guidelines for crimes of animal cruelty; enact and amend.  
Amends secs. 16b, 34, 40, 46 & 49, ch. XVII of 1927 PA 175 (MCL 777.16b et seq.).  
**Reported by Committee on Judiciary.**  
**Committee recommended I.E.**

35

**SB 2** Sen. Jansen  
Occupations; nurses; advanced practice registered nurse (a.p.r.n.); establish license for nurse midwives, nurse practitioners, and clinical nurse specialists and provide other general amendments.  
Amends secs. 2701, 5119, 16125, 16161, 16163, 16216, 16231, 16231a, 16327, 17201, 17210, 17211, 17212, 17221, 17607, 17708, 17745, 17820, 17822, 18301 & 20201 of 1978 PA 368 (MCL 333.2701 et seq.) & adds secs. 17202, 17210a, 17211a, 17214 & 17221a.  
**Reported by Committee on Reforms, Restructuring and Reinventing.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

## GENERAL ORDERS

36

**SB 20** Sen. Hopgood

Environmental protection; permits; hazardous waste permit eligibility; restrict based on certain criminal convictions.

Amends sec. 11123 of 1994 PA 451 (MCL 324.11123).

**Reported by Committee on Natural Resources, Environment and Great Lakes.**  
**Committee recommended I.E.**

37

**SB 211** Sen. Rocca

Worker's compensation; disabilities; occupational cancer; provide presumption for certain firefighters regarding.

Amends sec. 405 of 1969 PA 317 (MCL 418.405).

**Reported by Committee on Judiciary.**  
**Committee recommended I.E.**

38

**SB 80** Sen. Hansen

School aid; other; reporting of certain expenditures; require.

Amends sec. 18 of 1979 PA 94 (MCL 388.1618).

**Reported by Committee on Education.**  
**Senate substitute (S-3).**  
**Committee recommended I.E.**

39

**SB 81** Sen. Hansen

Education; school districts; limitations on certain uses of school district funds; provide for.

Amends secs. 1254 & 1814 of 1976 PA 451 (MCL 380.1254 & 380.1814).

**Reported by Committee on Education.**  
**Senate substitute (S-2).**  
**Committee recommended I.E.**

40

**HB 4139** Rep. McMillin

Criminal procedure; other; provision relating to proceedings to prevent crime; repeal.

Repeals ch. XII of 1927 PA 175 (MCL 772.1 - 772.15).

**I.E. House, April 11, 2013.**  
**Reported by Committee on Judiciary.**  
**Committee recommended I.E.**

41

**SB 64** Sen. Brandenburg

Taxation; administration; liability for taxes collected and unpaid taxes; modify.

Amends sec. 27a of 1941 PA 122 (MCL 205.27a).

**Reported by Committee on Finance.**  
**Committee recommended I.E.**

42

**SB 302** Sen. Caswell

State; symbol; "Purple Heart State"; designate.

Creates new act.

**Reported by Committee on Veterans, Military Affairs and Homeland Security.**  
**Committee recommended I.E.**

## GENERAL ORDERS

43

**HB 4138** Rep. McMillin

Military affairs; other; restriction of activities by Michigan national guard and state and local employees; provide for under certain circumstances.

Creates new act.

**I.E. House, April 18, 2013.**

**House substitute (H-1).**

**Reported by Committee on Veterans, Military Affairs and Homeland Security.**  
**Committee recommended I.E.**

44

**SB 321** Sen. Jones

Crimes; trespassing; process servers; exempt from trespassing law under certain circumstances.

Amends sec. 552 of 1931 PA 328 (MCL 750.552).

**Reported by Committee on Judiciary.**  
**Committee recommended I.E.**

**Refer to Committee of the Whole pursuant to Rule 3.701.**

45

**SB 175** Sen. Pappageorge

Military affairs; generally; Michigan military act; modify.

Amends secs. 105, 151, 155, 159, 171, 179, 300, 302, 306, 316, 328, 354, 368, 372, 374, 376, 378, 380, 382, 382a, 384, 388 & 410 of 1967 PA 150 (MCL 32.505 et seq.) & repeals secs. 133, 360, 362, 364, 366 & 390 of 1967 PA 150 (MCL 32.533 et seq.).

**Reported by Committee on Veterans, Military Affairs and Homeland Security.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

46

**HB 4458** Rep. Kowall

Economic development; tax increment financing; capture of increased tax revenue levied under multicounty tax millages; prohibit.

Amends sec. 1 of 1980 PA 450 (MCL 125.1801).

**I.E. House, April 30, 2013.**

**Reported by Committee on Economic Development.**  
**Committee recommended I.E.**

47

**HB 4459** Rep. Townsend

Economic development; downtown development authorities; capture of increased tax revenue levied for certain millages; prohibit.

Amends sec. 1 of 1975 PA 197 (MCL 125.1651).

**I.E. House, April 30, 2013.**

**Reported by Committee on Economic Development.**  
**Committee recommended I.E.**

48

**HB 4460** Rep. Cavanagh

Economic development; brownfield redevelopment authority; capture of increased tax revenue levied under certain millages; prohibit.

Amends sec. 2 of 1996 PA 381 (MCL 125.2652).

**I.E. House, April 30, 2013.**

**Reported by Committee on Economic Development.**  
**Committee recommended I.E.**

## GENERAL ORDERS

49

**HB 4461** Rep. Haugh  
Economic development; local development financing authority; capture of increased tax revenue levied under certain millages; prohibit.  
Amends sec. 2 of 1986 PA 281 (MCL 125.2152).  
**I.E. House, April 30, 2013.**  
**Reported by Committee on Economic Development.**  
**Committee recommended I.E.**

50

**HB 4462** Rep. Farrington  
Economic development; corridor improvement; capture of increased tax revenue levied under certain millages; prohibit.  
Amends sec. 3 of 2005 PA 280 (MCL 125.2873).  
**I.E. House, April 30, 2013.**  
**Reported by Committee on Economic Development.**  
**Committee recommended I.E.**

51

**HB 4463** Rep. Walsh  
Economic development; other; capture of increased tax revenue levied under certain millages; prohibit.  
Amends sec. 23 of 1867 PA 35 (MCL 472.23).  
**I.E. House, April 30, 2013.**  
**Reported by Committee on Economic Development.**  
**Committee recommended I.E.**

52

**HB 4464** Rep. Haines  
Economic development; other; capture of increased tax revenue levied under certain millages; prohibit.  
Amends sec. 3 of 2010 PA 250 (MCL 125.1873).  
**I.E. House, April 30, 2013.**  
**Reported by Committee on Economic Development.**  
**Committee recommended I.E.**

## RESOLUTIONS

53

**SR 34** Sen. Pappageorge  
A resolution to declare any statement or comment by the Governor on legislative intent or enforceability that is expressed in a veto message that applies to a portion of law that is not vetoed to have no legal effect.  
**Reported by Committee on Appropriations.**  
**For text of resolution, see Senate Journal No. 31, page 397.**  
**Adoption pending.**

## COMMITTEE REPORTS

54

**SB 283** Sen. Meekhof  
Campaign finance; contributions and expenditures; annual signature requirement for political action committees checkoff for payroll deductions; eliminate.  
Amends sec. 55 of 1976 PA 388 (MCL 169.255).  
**Reported by Committee on Local Government and Elections.**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**

55

**SB 336** Sen. Schuitmaker  
Torts; governmental immunity; liability for sewer system backups; require amount of economic damages to be determined by a hearing officer.  
Amends sec. 19 of 1964 PA 170 (MCL 691.1419).  
**Reported by Committee on Local Government and Elections.**  
**Recommendation to refer to Committee on Judiciary.**

56

**HB 4169** Rep. Pagel  
Elections; canvassing; reference in general law village act to board of village canvassers and board of township canvassers; revise to board of county canvassers.  
Amends sec. 18a, ch. XIV of 1895 PA 3 (MCL 74.18a).  
**I.E. House, March 14, 2013.**  
**Reported by Committee on Local Government and Elections.**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**

57

**HB 4170** Rep. Cotter  
Elections; canvassing; reference in community college act of 1966 to board of city or township canvassers; eliminate.  
Amends secs. 21, 37 & 57 of 1966 PA 331 (MCL 389.21 et seq.).  
**I.E. House, March 14, 2013.**  
**Reported by Committee on Local Government and Elections.**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**

58

**HB 4171** Rep. Jacobsen  
Elections; canvassing; elimination of local boards of canvassers and amendment of process to balance precinct results; provide for.  
Amends secs. 24a, 30g, 307, 308, 323, 347, 355, 360, 426c, 426f, 426l, 792, 806, 809, 822, 823, 826, 866, 867 & 868 of 1954 PA 116 (MCL 168.24a et seq.) & repeals secs. 30a - 30e of 1954 PA 116 (MCL 168.30a - 168.30e).  
**I.E. House, March 14, 2013.**  
**House substitute (H-2).**  
**Reported by Committee on Local Government and Elections.**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**



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**COMMITTEE REPORTS**


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59

**SB 104** Sen. Anderson  
 Property tax; exemptions; tax exemption for certain disabled veterans; provide for.  
 Amends 1893 PA 206 (MCL 211.1 - 211.155) by adding sec. 7ll.  
**Reported by Committee on Finance.**  
**Senate substitute (S-3).**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**

60

**SB 352** Sen. Hildenbrand  
 Property tax; exemptions; principal residence of disabled veterans; exempt.  
 Amends sec. 7b of 1893 PA 206 (MCL 211.7b).  
**Reported by Committee on Finance.**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**

61

**SB 357** Sen. Pappageorge  
 Businesses; business corporations; shareholder vote requirement for certain business combinations; revise.  
 Amends sec. 778 of 1972 PA 284 (MCL 450.1778).  
**Reported by Committee on Banking and Financial Institutions.**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**

62

**SB 255** Sen. Jones  
 Construction; code; state construction code; subject to fireworks safety act.  
 Amends sec. 28 of 1972 PA 230 (MCL 125.1528).  
**Reported by Committee on Regulatory Reform.**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**

63

**HB 4360** Rep. Haines  
 Liquor; licenses; penalties for certain unauthorized transactions for food assistance or family independence program benefits; provide for.  
 Amends 1998 PA 58 (MCL 436.1101 - 436.2303) by adding sec. 903a.  
**I.E. House, April 25, 2013.**  
**House substitute (H-1).**  
**Reported by Committee on Regulatory Reform.**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**

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**COMMITTEE REPORTS**


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64

**HB 4361** Rep. Victory  
 Gaming; lottery; lottery sales agent; provide for penalties for fraudulent activity related to food assistance benefits.  
 Amends 1972 PA 239 (MCL 432.1 - 432.47) by adding sec. 24.  
**I.E. House, April 25, 2013.**  
**House substitute (H-2).**  
**Reported by Committee on Regulatory Reform.**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**

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**SCHEDULED MEETINGS**


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**Finance** - Wednesday, May 22, 12:30 p.m., Room 210, Farnum Building (373-5307)

**Judiciary** - Tuesday, May 21, 2:30 p.m., Room 110, Farnum Building (373-5323)

**Michigan Law Revision Commission** - Wednesday, May 22, 11:00 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

**Natural Resources, Environment and Great Lakes** - Tuesday, May 21, 9:00 a.m., Room 210, Farnum Building (373-5323)

**State Drug Treatment Court Advisory Committee** - Tuesday, May 28, 9:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

**Transportation** - Tuesday, May 21, 12:30 p.m., Room 100, Farnum Building (373-5314)

**Veterans, Military Affairs and Homeland Security** - Tuesday, May 21, 1:00 p.m., Room 210, Farnum Building (373-5312)